



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

HAMILTON & TERRILE, LLP
P.O. BOX 203518
AUSTIN, TX 78720

COPY MAILED

NOV 23 2004

OFFICE OF PETITIONS

In re Application of
Junjie Gu
Application No. 10/723,877
Filed: November 26, 2003
Attorney Docket No. P8940

:
:
:
:
:

ON PETITION

This is a decision on the papers styled "Petition For Filing Date" filed August 27, 2004, which has been treated as a petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of November 26, 2003, including eleven (11) sheets of drawings.

The application was submitted on November 26, 2003. However, on July 7, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice Of Incomplete Nonprovisional Application" (Notice) that stated the application had not been accorded a filing date, and that the application was deposited without drawings.

In response, on August 27, 2004, the instant petition was submitted. Petitioner argues that eleven (11) sheets of drawings were filed on November 26, 2003. In support, the instant petition is accompanied by a copy of applicant's postcard receipt that acknowledges receipt of "11 sheet(s) of Drawings" on November 26, 2003. A review of the application file indicates the presence of zero (0) sheets of drawings. It is assumed that missing sheets of drawings were misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee has not been charged.

This application will be returned to OIPE for further processing with a filing date of November 26, 2003, using the eleven (11) sheets of drawings, supplied on August 27, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3228.

A handwritten signature in dark ink, appearing to read 'EJ Tannouse', followed by a long horizontal line extending to the right.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office